

# DRAFT

## PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS REGULAR MEETING HELD ON Tuesday, January 28, 2014

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 28, 2014 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Ann English, Chairman; Richard R. Searle, Vice-Chairman; Patrick G. Call, Supervisor  
Staff: Michael J. Ortega, County Administrator; James E. Vlahovich, Deputy County  
Present: Administrator; Adam Ambrose, Deputy Civil County Attorney; Arlethe G. Rios, Clerk of the Board

Chairman English called the meeting to order at 10:00 a.m.

### ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

### PLEDGE OF ALLEGIANCE

### THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

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### **CALL TO THE PUBLIC**

Chairman English opened the call to the public.

Mr. Jack Cook addressed the Board on matters of personal concern.

No one else chose to speak and Chairman English closed the call to the public.

*This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.*

### **CONSENT**

### Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of January 7, 2014.
2. Ratify approving a letter of support of the importation of tomato plantlets from Mexico for use in NatureSweet's Arizona greenhouses.

3. Approve the five year business plan for the Southeast Arizona Workforce Connection effective July 1, 2014 to June 30, 2017.
4. Approve the appointment of Mr. Nathan Watkins to the Planning & Zoning Commission for District 2 to a term beginning immediately until December 31, 2017.
5. Approve the re-appointment of Patrick Green to the Board of Adjustment for District 2 (BA-2) for a term beginning immediately until December 31, 2017.
6. Approve the appointments of the following person as Precinct Committee person for the Democrat Party of Cochise County: Precinct #27 SV Buffalo Soldier, Thomas P. Stoney.
7. Adopt Resolution 14-04 Requesting the Congress of the United States to immediately provide full funding for the Payment-In-Lieu-Of-Taxes (PILT) Program.

### **County Attorney**

8. Approve the proposed settlement of the Tax Appeal in San Pedro Partners II, L.L.C. v. Cochise County, TX2013-000674 (Assessor parcel No. 123-47-203D), now pending in Arizona Tax Court, a division of the Superior Court of and for Maricopa County.

### **County Sheriff**

9. Approve City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-12-2238 with a term of January 1, 2012 to December 31, 2013 and extension to January 31, 2014 providing a total of \$3,000 in overtime expenses.

### **Finance**

10. Approve demands and budget amendments for operating transfers.

Warrants Nos. 75954-75968, 75971-76094, 76096-76120, 76122-76289, 76311-76486 were issued in the amount of \$3,037,290.96. The voided warrants are listed below:

<u>Fund</u>	<u>Vendor</u>	<u>Amount</u>
100	Law by George, PIIC	\$600.00
110	Naco West Nationwide Retirement Solution	23,200.39
100	Patricia Edie	41.84
100	Daniel J. Hermendez	109.00
110	TIAA-CREF as agent for JP Morgan Chase	3874.00

Pursuant to A.R.S. §11-217(C), the published minutes shall include all demands and warrants approved by the Board in excess of one thousand dollars except that multiple demands and warrants from a single supplier or individual under one thousand dollars whose cumulative total exceeds one thousand dollars in a single reporting period shall also be published.

### **Juvenile Probation**

11. Approve the Intergovernment Agreement (IGA) between The Arizona Supreme Court, The Cochise County School Superintendent and The Cochise County Superior Court for FY13/14 governing title funds for use in the Cochise County Juvenile Detention Center for education programs and classrooms effective as of the date of execution of the agreement by all parties through June 30, 2015.

Vice-Chairman Searle moved to approve items 1-11 of the consent agenda. Supervisor Call seconded the motion. Chairman English called for the vote and it carried unanimously.

## **PUBLIC HEARINGS**

### **Community Development**

12. Adopt Zoning Ordinance 14-02, approving Docket Z-14-01, reverting the zoning district designation for parcels 106-15-094, -094B, -094C, & -094D to RU-4 from TR-36 and RU-2, pursuant to the request of Jeffery & Barbara Franz.

Mr. Peter Gardner, Planner I, presented this item using a PowerPoint presentation. Mr. Gardner gave the background and stated that the parcel was located in the Babocomari area and that the applicants were trying to sell some of the acreage they owned. He showed a map of the location and listed the factors in favor: new zoning would match area zoning; benefit low density development; and would remove the conditional zoning and allow properties to become residential properties. He noted that there were no factors against this action and that staff recommended approval.

Chairman English opened the public hearing.

No one chose to speak and Chairman English closed the public hearing.

Supervisor Call moved to adopt Zoning Ordinance 14-02, approving Docket Z-14-01, reverting the zoning district designation for parcels 106-15-094, -094B, -094C, & -094D to RU-4 from TR-36 and RU-2, pursuant to the request of Jeffery & Barbara Franz. Vice-Chairman Searle seconded the motion.

Chairman English called for the vote and it carried 3-0.

## **ACTION**

### **Board of Supervisors**

13. Approve an Intergovernmental Agreement (IGA) between Cochise County and the City of Sierra Vista for funding of a Consultant to Promote Retention and Expansion of Missions of the U.S. Army at Fort Huachuca.

Mr. Michael J. Ortega, County Administrator, presented this item. Mr. Ortega said that this agreement allowed us to prepare for the Base Closure and Realignment Commission (BRAC) discussion in 2015. He stated that although the total cost had been broken down by fiscal year there was one basic rate for an 18-month period between the three separate entities.

Supervisor Call stated that the County had always been involved in the BRAC conversations due to the impact that it would have on the County's economy and supported this current effort.

Chairman English noted that changes being done at the fort presently were already affecting the County's economy and she supported any effort to be part of the conversation of the fort's

future impact.

Vice-Chairman Searle moved to approve an Intergovernmental Agreement (IGA) between Cochise County and the City of Sierra Vista for funding of a Consultant to Promote Retention and Expansion of Missions of the U.S. Army at Fort Huachuca. Supervisor Call seconded the motion.

Chairman English called for the vote and it carried 3-0.

## ***STATE & FEDERAL LEGISLATION***

14. Discussion and possible action regarding state and federal legislative matters, including but not limited to the items in the attached County Supervisors Association Legislative Policy Committee Agenda and the proposed State budget.

Mr. Ortega gave an update on the Payment in Lieu of Taxes (PILT) issue and noted that Senator McCain's Office confirmed that the PILT funds would be added to the Farm Bill which would impact the current fiscal year, but the concern is for the upcoming fiscal years especially due to the impact it would have on court and public safety services to the public.

Vice-Chairman Searle noted that projects on military bases, like the hotel at Fort Huachuca were also impacting tax revenues which meant that PILT funds were even more crucial.

Mr. Ortega also noted that the Highway User Revenue Fund discussion was ongoing and he expected the issue to be more prevalent for next year's budget.

## ***REPORT BY MICHAEL J. ORTEGA, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS***

Mr. Ortega deferred his report.

## ***SUMMARY OF CURRENT EVENTS***

### **Report by District 1 Supervisor, Patrick Call**

Supervisor Call said he would be attending the Board Retreat later in the week.

### **Report by District 2 Supervisor, Ann English**

Chairman English deferred her report.

### **Report by District 3 Supervisor, Richard Searle**

Vice-Chairman Searle said he had attended the meeting regarding the PILT issue with Senator McCain, he would be attending the Sierra Vista Metropolitan Planning Organization this week, and the Willcox Agricultural Day next week.

Chairman English adjourned the meeting at 10:27 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Arlethe G. Rios, Clerk of the Board